

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **ELECTROPOLISHING APPARATUS AND METHOD FOR MEDICAL IMPLANTS**, the specification of which:

- is attached hereto.
- was filed on November 11, 2003 as Application Serial No. 10/712,420.
- and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>		
	<input type="checkbox"/> <input type="checkbox"/>		
(Number)	(Country)	(Day/Month/Year Filed)	Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)	(Filing Date)
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status-patented, pending, abandoned)
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>		
Inventor's Signature	<u>Darin G. Schaeffer</u>	
Full name of sole or first inventor	Darin G. Schaeffer	
Residence	Bloomington, Indiana	
Citizenship	U.S.A.	
Post Office Address	3011 S. Market Place, Bloomington, IN 47403	

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200

Inventor(s):

DARIN G. SCHAEFFER

Title:

ELECTROPOLISHING APPARATUS AND METHOD FOR MEDICAL IMPLANTS**POWER OF ATTORNEY**

The specification of the above-identified patent application:

is attached hereto

was filed on November 11, 2003 as application Serial No. 10/712,420

I hereby appoint the following attorneys to prosecute said patent application and to transact all business in the Patent and Trademark Office connected therewith:

Jerold A. Jacover, Reg. No. 26,284	David W. Okey, Reg. No. 42,959	Richard J. Godlewski, Reg. No. 30,056
A. James Richardson, Reg. No. 26,983	James A. Collins, Reg. No. 43,557	James B. Hunt, Reg. No. 40,276
James P. Naughton, Reg. No. 30,665	Vineet Gauri, Reg. No. 44,701	Charles W. Agnew, Reg. No. 44,497
Steven Oberholzer, Reg. No. 30,670	L.G. Almeda, Reg. No. 46,151	
Rodney A. Daniel, Reg. No. 31,605	DeWayne Hughes, Reg. No. 46,783	
Jeffery M. Duncan, Reg. No. 31,609	J. Matthew Buchanan, Reg. No. 47,459	
Thomas J. Filarski, Reg. No. 31,612	Carmen Matos Michael, Reg. No. 47,493	
Lawrence A. Steward, Reg. No. 32,309	Jonathan M. Blanchard, Reg. No. 48,927	
G. Peter Nichols, Reg. No. 34,401	Jonathan P. Taylor, Reg. No. 48,338	
Michael E. Milz, Reg. No. 34,880	Samuel Shehadeh, Reg. No. 52,215	
Janet A. Pioli, Reg. No. 35,323	Alejandro Fernandez, Reg. No. 52,886	
Margaret Dobrowitsky, Reg. No. 36,501	Mircea Tipescu, Reg. No. 53,690	
Dominic P. Zanfardino, Reg. No. 36,068		
Meredith Martin Addy, Reg. No. 37,883		

of the firm of
BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 600610
(312) 321-4200

of
COOK INCORPORATED
P.O. Box 2269
Bloomington, IN 47402-2269

Please address all correspondence and telephone calls to Richard E. Stanley, Jr. in care of:

Brinks Hofer Gilson & Lione
P.O. Box 10395
Chicago, IL 60610
(312)321-4200

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Cook Incorporated as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

COOK INCORPORATED, a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- An assignment from the inventor(s) of the patent application identified above, a copy of which is attached hereto.
OR
- An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel , frame .
OR
- A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
1. From To:
The document was recorded in the Patent and Trademark Office at Reel , frame , or a copy thereof is attached.
 2. From To:
The document was recorded in the Patent and Trademark Office at Reel , frame , or a copy thereof is attached.
- Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned has reviewed the assignment or all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature Thomas A. Osborne Date: Feb. 3, 2004
Name: Thomas A. Osborne
Title: Sr. V.P., IP Growth & Development
Rev. Dec.-99
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I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:
Mail Stop Missing Parts, Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
on February 25, 2004

Date of Deposit



Richard E. Stanley, Jr., Reg. No. 45,662

Name of applicant, assignee or
Registered Representative



Signature

February 25, 2004

Date of Signature

Case No. 8627/327

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SCHAEFFER, Darin G.

Serial No.: 10/712,420

Attention: Manager,
Application Branch

Filed: November 12, 2003

For: ELECTROPOOLISHING
APPARATUS AND METHOD FOR
MEDICAL IMPLANTS

DECLARATION REGARDING USE OF THE INVENTED APPARATUS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Now comes Darin G. Schaeffer, the inventor of the above-identified patent application, who declares and states:

1. I am currently employed by Cook Incorporated ("Cook") as an engineer. I have held this position with Cook during all time periods referred to herein. My principal job responsibility involves designing stents, catheters and related devices and methods related thereto.

2. More than one year before filing the above-identified patent application, I constructed an electropolishing device that would be covered by the claims of the patent application as filed.

3. After constructing the electropolishing device, it was used by me and others associated with Cook's engineering group to polish prototype stents. This use occurred more than one year before filing the above-identified patent application.

4. The prototype stents were not manufactured or polished for commercial purposes and none of the prototype stents was sold, offered for sale, publicly used or described in a printed publication more than one year before filing the above-identified patent application. The prototype stents were manufactured only for purposes internal to Cook, such as evaluating new stent designs and related projects. During the time period more than one year before filing the above-identified patent application, the prototype stents were either discarded or stored within Cook's facilities.

5. I further state that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

 2-10-04
Darin G. Schaeffer